

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEONEL RAMIREZ GOMEZ,

Defendant.

4:15CR3025

ORDER

Counsel for the government is having medical issues; defense counsel needs further investigate this case, including a confidential informant who may testify, before trial; and the defendant is on release pending trial. Under the totality of the circumstances presented, defense counsel orally moved to set the trial date in January of 2016 and for release of the confidential informant's name prior to trial. (Filing No. 40). The motions are unopposed and will be granted.

Accordingly,

IT IS ORDERED that the defendant's oral motion, (Filing No. 40), is granted and:

- 1) The government shall release the name of the confidential informant to defense counsel at least two weeks prior to the start of trial.
- 2) The trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on January 19, 2016, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 3) Based upon the representations of counsel, the Court further finds that the ends of justice will be served by setting a January 19, 2016 trial date; and that the purposes served by doing so outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and January 19, 2016, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7).

November 17, 2015.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge